

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OKLAHOMA

1. STATE OF OKLAHOMA, ex rel. )  
W.A. DREW EDMONDSON, in his capacity as )  
ATTORNEY GENERAL OF THE STATE OF )  
OKLAHOMA and OKLAHOMA SECRETARY )  
OF THE ENVIRONMENT C. MILES TOLBERT, )  
in his capacity as the TRUSTEE FOR )  
NATURAL RESOURCES FOR THE )  
STATE OF OKLAHOMA, )

Plaintiffs, )

v. )

05-CV-0329 GKF-SAJ

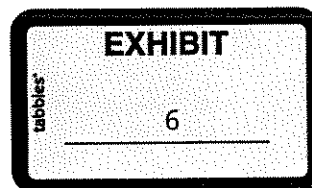
1. TYSON FOODS, INC., )  
2. TYSON POULTRY, INC., )  
3. TYSON CHICKEN, INC., )  
4. COBB-VANTRESS, INC., )  
5. AVIAGEN, INC., )  
6. CAL-MAINE FOODS, INC., )  
7. CAL-MAINE FARMS, INC., )  
8. CARGILL, INC., )  
9. CARGILL TURKEY PRODUCTION, LLC, )  
10. GEORGE'S, INC., )  
11. GEORGE'S FARMS, INC., )  
12. PETERSON FARMS, INC., )  
13. SIMMONS FOODS, INC., and )  
14. WILLOW BROOK FOODS, INC., )

Defendants. )

AMENDED NOTICE OF DEPOSITION TO PLAINTIFF

**TO: Custodian of Records  
Office of the Secretary of Environment**

c/o W. A. Drew Edmondson  
Attorney General  
Kelly Hunter Burch  
J. Trevor Hammons  
Robert D. Singletary  
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You are hereby notified that pursuant to Rule 30 of the Federal Rules of Civil Procedure, Defendants Cargill, Inc. and Cargill Turkey Production, LLC will take the oral deposition of the Custodian of Records for the Office of the Secretary of the Environment at the offices of Oklahoma Water Resources Board located at 3800 North Classen Boulevard, Oklahoma City, Oklahoma 73118 on **March 15, 2007, beginning at 9:00 a.m.** and continuing from day to day until completed, before an officer authorized by law to take depositions and administer oaths.

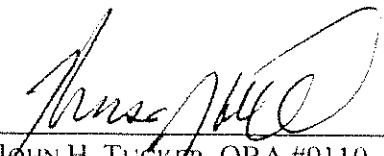
The deposition is being taken for the purpose of discovery of all of the records and documents relating to the Secretary of the Environment's jurisdictional areas of environmental responsibility as provided for in OKLA. STAT. tit. 27A § 1-2-101 to the extent that such areas of environmental responsibility include and/or relate to the Illinois River Watershed, including, but not limited to coordination of "pollution control and complaint management activities of the state carried on by all state agencies . . ."; development and/or modification of: (a) federally required lists of impaired waters (303(d) reports); (b) federally required water quality assessment reports (305(b) reports); (c) federally required nonpoint source state assessments (319 reports); and (d) continuing planning process documents, including, but not limited to maintenance, retention, and collection of documents relating to the Governor's Animal Waste and Water Quality Protection Task Force, Integrated Water Quality Assessment Reports, Coordinated Watershed Restoration and Protection Strategy for Oklahoma Impaired Scenic Rivers, Oklahoma-Arkansas Statement of Joint Principles and Actions to Improve Scenic Rivers, and responsive to Defendant Cargill Turkey Production, LLC's Amended First Interrogatories and Requests for Production of Documents to Plaintiffs and Defendant Cargill, Inc.'s Amended First Interrogatories and Requests for Production of Documents to Plaintiffs.

This deposition is being taken for the purpose of discovery and for use as trial as well as for any other purposes permitted by law.

Respectfully submitted,

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TUCKER & GABLE, PLLC

BY: \_\_\_\_\_

  
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**CERTIFICATE OF SERVICE**

I certify that on the 6<sup>th</sup> day of March, 2007, I electronically transmitted the attached document to the following:

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I also hereby certify that I served the attached document by United States Postal Service, proper postage paid, on the following:

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